

U.S. Department of Justice
United States Marshals ServiceIN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

MAY 12 2010

PLAINTIFF
Burr & Forman LLPCOURT CASE NUMBER
1:10-mc-00140-UADEFENDANT
NYMET Holdings, Inc.TYPE OF PROCESS
Writ of Execution

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
SERVE AT NYMET Holdings, Inc.; c/o Edward R. Gulmi, James Gardner or Mark D. Klok
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
 84 Nesconset Highway, Port Jefferson, NY 11778

| | |
|--|---|
| SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW | Number of process to be served with this Form 285 |
| Jennifer Moseley Burr & Forman LLP 420 N 20th Street, Ste 3400 Birmingham, AL 35203 | Number of parties to be served in this case |
| | Check for service on U.S.A. |

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

Fold

Fold

Please serve either Edward R. Gulmi, James Gardner or Mark D. Klok for NYMET Holdings, Inc.

Signature of Attorney or Originator requesting service on behalf of:

 PLAINTIFF

TELEPHONE NUMBER

DATE

 DEFENDANT

205-458-5277

4/9/10

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
(Sign only for USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin
No. 53District to Serve
No. 53

Signature of Authorized USMS Deputy or Clerk

Date

4/12/10

I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

X Bill Dillard Director

A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date

Time

5/6/10 1640

 am
 pm

Signature of U.S. Marshal or Deputy

R. Dillard

| Service Fee | Total Mileage Charges including <i>endeavors</i>) | Forwarding Fee | Total Charges | Advance Deposits | Amount overcharged or balance due |
|-------------|--|----------------|---------------|------------------|-----------------------------------|
| 55.00 | 15.50 | / | 70.50 | 150.00 | 79.50 \$0.00 |

REMARKS: out for P/S 4/12/10

5/6 - Above 3 subjects traveling for the week - left with Bill Dillard at NYMET Holdings

PRINT & COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED